GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PREVENTIVE DETENTION - The Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No: 1 of 1986) – Order of Detention made by the Collector and District Magistrate, YSR District, against Sri Dhanababu Sivan Babu @ Siva, Age 35 years, S/o Dhanababu, R/o Yadapatti Village and Post, Pedda Nayakampalem Taluk, Selam District, Tamilnadu State - Representation of Smt. Rupiya Sivan Babu, W/o Sri Dhanababu Sivan Babu– Examined –Orders – Issued.

GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.Rt.No.606 **Dated:03.04.2023.**
Read the following:-

1. From the Collector and District Magistrate, Y.S.R. District, Kadapa , Proceedings No. CI/13/M/2023, Dated:28.01.2023.
2. G.O.Rt.No.275, G.A.(SC.I) Dept., dated 07.02.2023.
3. G.O.Rt.No.579, GA(SC.I) Dept., Dated: 27.032023.
4. Representation dated 05.03.2023 of Smt. Rupiya Sivan Babu, W/o Sri Dhanababu Sivan Babu.

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O R D E R:

In the reference first read above, the Collector and District Magistrate, YSR District, has passed detention order against Sri Dhanababu Sivan Babu @ Siva, Age 35 years, S/o Dhanababu, R/o Yadapatti Village and Post, Pedda Nayakampalem Taluk, Selam District, Tamilnadu State, under section 3 (1) & (2) read with Section 2(g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986). After following due procedure, Government had approved and confirmed the detention order in the reference 2nd and 3rd read above.

2. In the reference 4th read above, Smt. Rupiya Sivan Babu, W/o Sri Dhanababu Sivan Babu, had made a representation to the Government and requested to issue orders for release of her husband duly cancelling the order of detention of the Collector.

3. Government have examined the representation of Smt. Rupiya Sivan Babu, W/o Sri Dhanababu Sivan Babu, and the material available in the record and under the provisions of the APPD Act, 1986. It is observed that six (6) cases have been registered against him and he is a dangerous and notorious criminal having indulged in wilful destruction of Government owned pristine Red Sander Forests committing or abetting the offences of trying to kill the Police and Forest Officials, while the officials were discharging their legitimate duties of curtailing the illegal felling, theft and clandestine smuggling of the Red Sander logs from the forest and illegally transporting to other states to gain illegal money and become dangerous to the lonely public. He is acting as prejudicial to the maintenance of the Public order. All the cases registered against him are punishable offences under which are registered under various provisions U/s 307, 353, 379 (Theft of National Property), 120(B), 109, 147, 149 r/w 34 IPC, Sec 20 (1)C(ii) (iii) (iv) (x), Sec 20 (d) (i) (ii) (b) (2), Sec 29 (2) (b) (4) (a) (i) (ii) (b) of AP Forest (Amendment) Act, 2016, Rule 3 of AP Sandal Wood and Red Sanders Wood Transit Rules, 1969 and Rule 3 of AP Red Sanders Wood Possession Rules, 1989. The details shows that he is a habitual offender. He is a criminal indulging in violent and unlawful activities, having no respect towards Law and Justice and continued his criminal activities and there will be no change in his attitude even though number of cases registered against him. The said offences are punishable under Chapter XVI Chapter XVII or Chapter XXII of IPC. As such the activities of the individual falls under and within the meaning of "Goonda" as defined under section 2(g) of Act 1 of 1986.

(P.T.O.)

4. The Act 1/1986 provides power to preventive detention of an individual to contain his activities which are prejudicial to the maintenance of public order under the following circumstances: (a) "acting in any manner prejudicial to the maintenance of public order" means when a boot-legger, a dacoit, a drug offender, a goonda, an immoral traffic offender, or a land-grabber is engaged or is making preparations for engaging in any of his activities as such, which affect adversely or are likely to affect adversely, the maintenance of public order. For the purpose of this clause public order shall be deemed to have been affected adversely, or shall be deemed likely to be affected adversely inter alia, if any of the activities of any of the persons referred to in this clause directly, or indirectly, is causing or calculated to cause any harm, danger or alarm or a feeling of insecurity among the general public or any section thereof or a grave or widespread danger to life or public health. Further, none of his family members have attended before the Advisory Board on Preventive Detentions to express their views on behalf of the detenue though there is an opportunity.

5. Government therefore, and after careful examination of the matter hereby dispose the representation of the petitioner, Smt. Rupiya Sivan Babu, W/o Sri Dhanababu Sivan Babu as rejected.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.K.S.JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

To
Smt. Rupiya Sivan Babu, W/o Sri Dhanababu Sivan Babu, R/o H.No.173, Merku, Kattukottay Vilvannur, Edalyapatti, Salem, Attur, Tamil Nadu-636 114.
The Collector and District Magistrate, YSR District.
Copy to:
The Superintendent of Police, YSR District.
The Spl. Govt. Pleader, attached to Learned Advocate General, A.P High court, High Court buildings, Nelapadu, Guntur Dist, A.P.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)